

PD-0617-20

STATE OF TEXAS

§

IN THE COURT OF

FILED
COURT OF CRIMINAL APPEALS
8/31/2020
DEANA WILLIAMSON, CLERK

VS.

§

CRIMINAL APPEALS

§

EDMUND KAHOOKELE

§

OF TEXAS

**FINAL MOTION TO EXTEND TIME TO FILE PETITION FOR
DISCRETIONARY REVIEW**

TO THE HONORABLE JUDGES OF SAID COURT:

Now comes Edmund Kahookele, Appellee in the above styled and numbered cause, and moves for an extension of time to file his petition for discretionary review, and for good cause shows the following:

1. On June 9, 2020, the Third Court of Appeals reversed the ruling of the trial court quashing the indictment in this case and remanded the case to the trial court. *State v. Kahookele*, 03-18-00399-CR (Tex. App.—Austin, delivered June 9, 2020) No motion for rehearing was filed. The Petition for Discretionary Review was therefore due on July 9, 2020. A motion for extension to file the PDR was timely filed and granted to August 10, 2020. On August 24, Appellant filed and this Court granted a second Motion to Extend Time to File Petition for Discretionary Review, to August 26, 2020. Concurrent with the filing of the petition, Counsel now submits this final motion requesting an additional day—to August 27, 2020.

2. The Petition for Discretionary Review was filed on this date. Counsel fully intended and was prepared to file the petition when due on August 26, 2020. However, I was working on one section that was taking much longer than it should have, and after struggling to write it for quite a long time, I finally had to abandon it and remove the entire section from the petition.

Also, the time set aside yesterday to finish the petition was consumed by repeated phone calls and emails from clients and other parties throughout the entire day.

Counsel for Appellant just filed a PDR in *Tovar v. State*, PD-0587-20 on August 17, 2020, and has been simultaneously working on this petition, and a brief in *Whitney Frilot v. State*, No. 03-19-00801-CR due to be filed in the Third Court of Appeals. Counsel also wrote and filed a brief on July 27, 2020 in *State v. McMahan*, No. 03-19-00824-CR in the Third Court of Appeals.

3. Appellant is in custody.

WHEREFORE, PREMISES CONSIDERED, Appellant respectfully requests a final extension of time to August 27, 2020 to file this petition for discretionary review

Respectfully submitted,
Schoon Law Firm, P.C.
208 S Castell Ave #201
New Braunfels TX 78130
Tel (830) 627-0044
Fax (830) 620-5657
susan@schoonlawfirm.com

By: /s/ Susan Schoon
Susan Schoon
State Bar No. 24046803
Attorney for Edmund Kahookele

CERTIFICATE OF SERVICE

This is to certify that on August 27, 2020, a true and correct copy of the above and foregoing document was served on the District Attorney's Office, Comal County, Texas and the State Prosecuting Attorney via email service.

/s/ Susan Schoon
Susan Schoon

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Susan Schoon
Bar No. 24046803
susan@schoonlawfirm.com
Envelope ID: 45818234
Status as of 8/31/2020 9:40 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Joshua Presley		preslj@co.comal.tx.us	8/31/2020 8:58:11 AM	SENT
Stacey Soule		stacey.soule@spa.texas.gov	8/31/2020 8:58:11 AM	SENT